## APPENDIX A

SCORECARD OF POSITIONS

| STATE | Advocated issuer as debtor | | Advocated state of incorporation as domicile | | Advocated state of principal executive office as domicile | | Advocated free-form "equitable allocation" | |
|---|---|---|---|---|---|---|---|---|
| | YES | NO | YES | NO | YES | NO | YES | NO |
| **Alabama** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase[1] | X | | | X | X | | | X |
| **Alaska** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| **Arizona** | | | | | | | | |
| 1. Prior to Appointment of Master | | X | X | | | X | | X |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | | | | | | | | |

[1] Includes all Exceptions and Statements filed in Exceptions round.

| STATE | Advocated issuer as debtor | | Advocated state of incorporation as domicile | | Advocated state of principal executive office as domicile | | Advocated free-form "equitable allocation" | |
|---|---|---|---|---|---|---|---|---|
| | YES | NO | YES | NO | YES | NO | YES | NO |
| **Arkansas** | | | | | | | | |
| 1. Prior to Appointment of Master | | X | X | | | X | | X |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| **California** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | | X | | X | | X | X | |
| 3. Before the Master, Following Draft Report | X | | | X | X | | X | |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| **Colorado** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | | | | | | | | |

| STATE | Advocated issuer as debtor | | Advocated state of incorporation as domicile | | Advocated state of principal executive office as domicile | | Advocated free-form "equitable allocation" | |
|---|---|---|---|---|---|---|---|---|
| | YES | NO | YES | NO | YES | NO | YES | NO |
| **Connecticut** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | | | | | | | | |
| **Delaware** | | | | | | | | |
| 1. Prior to Appointment of Master | | X | X | | | X | | X |
| 2. Before the Master, Prior to Draft Report | | X | X | | | X | | X |
| 3. Before the Master, Following Draft Report | | X | X | | | X | | X |
| 4. Before this Court in "Exceptions" Phase | | X | X | | | X | | X |
| **D.C.** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report[2] | X | X | X | X | | X | X | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | X | |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | X | |

[2] D.C. changed position during this Phase, first advocating issuer-as-debtor and state of incorporation as domicile; and then rejecting those positions in favor of free-form "equitable allocation."

| STATE | Advocated issuer as debtor | | Advocated state of incorporation as domicile | | Advocated state of principal executive office as domicile | | Advocated free-form "equitable allocation" | |
|---|---|---|---|---|---|---|---|---|
| | YES | NO | YES | NO | YES | NO | YES | NO |
| **Florida** | | | | | | | | |
| 1. Prior to Appointment of Master | | X | X | | | X | | X |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| **Georgia** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| **Hawaii** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |

| STATE | Advocated issuer as debtor | | Advocated state of incorporation as domicile | | Advocated state of principal executive office as domicile | | Advocated free-form "equitable allocation" | |
|---|---|---|---|---|---|---|---|---|
| | YES | NO | YES | NO | YES | NO | YES | NO |
| **Idaho** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | | | | | | | | |
| **Illinois** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| **Indiana** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |

| STATE | Advocated issuer as debtor | | Advocated state of incorporation as domicile | | Advocated state of principal executive office as domicile | | Advocated free-form "equitable allocation" | |
|---|---|---|---|---|---|---|---|---|
| | YES | NO | YES | NO | YES | NO | YES | NO |
| **Iowa** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| **Kansas** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| **Kentucky** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |

| STATE | Advocated issuer as debtor | | Advocated state of incorporation as domicile | | Advocated state of principal executive office as domicile | | Advocated free-form "equitable allocation" | |
|---|---|---|---|---|---|---|---|---|
| | YES | NO | YES | NO | YES | NO | YES | NO |
| Louisiana | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| Maine | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| Maryland | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | | X | | X | | X | X | |
| 3. Before the Master, Following Draft Report | X | | | X | X | | X | |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | X | |

| STATE | Advocated issuer as debtor | | Advocated state of incorporation as domicile | | Advocated state of principal executive office as domicile | | Advocated free-form "equitable allocation" | |
|---|---|---|---|---|---|---|---|---|
| | YES | NO | YES | NO | YES | NO | YES | NO |
| **Massachusetts** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | NA | NA | NA | NA | NA | NA | NA | NA |
| 3. Before the Master, Following Draft Report | NA | NA | NA | NA | NA | NA | NA | NA |
| 4. Before this Court in "Exceptions" Phase | | X | | X | | X | | X |
| **Michigan** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | | X | | X | | X | X | |
| 3. Before the Master, Following Draft Report | X | | | X | X | | X | |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | X | |
| **Minnesota** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | | | | | | | | |

| STATE | Advocated issuer as debtor | | Advocated state of incorporation as domicile | | Advocated state of principal executive office as domicile | | Advocated free-form "equitable allocation" | |
|---|---|---|---|---|---|---|---|---|
| | YES | NO | YES | NO | YES | NO | YES | NO |
| **Mississippi** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| **Missouri** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| **Montana** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |

| STATE | Advocated issuer as debtor | | Advocated state of incorporation as domicile | | Advocated state of principal executive office as domicile | | Advocated free-form "equitable allocation" | |
|---|---|---|---|---|---|---|---|---|
| | YES | NO | YES | NO | YES | NO | YES | NO |
| **Nebraska** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | | X | | X | | X | X | |
| 3. Before the Master, Following Draft Report | X | | | X | X | | X | |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | X | |
| **Nevada** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| **New Hampshire** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |

| STATE | Advocated issuer as debtor | | Advocated state of incorporation as domicile | | Advocated state of principal executive office as domicile | | Advocated free-form "equitable allocation" | |
|---|---|---|---|---|---|---|---|---|
| | YES | NO | YES | NO | YES | NO | YES | NO |
| **New Jersey** | | | | | | | | |
| 1. Prior to Appointment of Master | | X | X | | | X | | X |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| **New Mexico** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | | | | | | | | |
| **New York** | | | | | | | | |
| 1. Prior to Appointment of Master | | X | X | | | X | | X |
| 2. Before the Master, Prior to Draft Report | | X | X | | | X | | X |
| 3. Before the Master, Following Draft Report | | X | X | | | X | | X |
| 4. Before this Court in "Exceptions" Phase | | X | | X | X | | | X |

| STATE | Advocated issuer as debtor | | Advocated state of incorporation as domicile | | Advocated state of principal executive office as domicile | | Advocated free-form "equitable allocation" | |
|---|---|---|---|---|---|---|---|---|
| | YES | NO | YES | NO | YES | NO | YES | NO |
| **North Carolina** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | | | | | | | | |
| **North Dakota** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| **Ohio** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | | X | | X | | X | X | |
| 3. Before the Master, Following Draft Report | X | | | X | X | | X | |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |

| STATE | Advocated issuer as debtor | | Advocated state of incorporation as domicile | | Advocated state of principal executive office as domicile | | Advocated free-form "equitable allocation" | |
|---|---|---|---|---|---|---|---|---|
| | YES | NO | YES | NO | YES | NO | YES | NO |
| **Oklahoma** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| **Oregon** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | NA | NA | NA | NA | NA | NA | NA | NA |
| 3. Before the Master, Following Draft Report[3] | X | | X | X | X | X | | X |
| 4. Before this Court in "Exceptions" Phase | | | | | | | | |
| **Pennsylvania** | | | | | | | | |
| 1. Prior to Appointment of Master | | X | X | | | X | | X |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |

[3] Oregon moved to intervene after the Master's Report, and its motion to intervene adopted the original Texas group's position; it changed its position thereafter.

| STATE | Advocated issuer as debtor | | Advocated state of incorporation as domicile | | Advocated state of principal executive office as domicile | | Advocated free-form "equitable allocation" | |
|---|---|---|---|---|---|---|---|---|
| | YES | NO | YES | NO | YES | NO | YES | NO |
| **Rhode Island** | | | | | | | | |
| 1. Prior to Appointment of Master | | X | X | | | X | | X |
| 2. Before the Master, Prior to Draft Report | | X | | X | | X | X | |
| 3. Before the Master, Following Draft Report | X | | | X | X | | X | |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| **South Carolina** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | | | | | | | | |
| **South Dakota** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |

| STATE | Advocated issuer as debtor | | Advocated state of incorporation as domicile | | Advocated state of principal executive office as domicile | | Advocated free-form "equitable allocation" | |
|---|---|---|---|---|---|---|---|---|
| | YES | NO | YES | NO | YES | NO | YES | NO |
| **Tennessee** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | | | | | | | | |
| **Texas** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | | | | | | | | |
| **Utah** | | | | | | | | |
| 1. Prior to Appointment of Master | | X | X | | | X | | X |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |

| STATE | Advocated issuer as debtor | | Advocated state of incorporation as domicile | | Advocated state of principal executive office as domicile | | Advocated free-form "equitable allocation" | |
|---|---|---|---|---|---|---|---|---|
| | YES | NO | YES | NO | YES | NO | YES | NO |
| **Vermont** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| **Virginia** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | | | | | | | | |
| **Washington** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |

| STATE | Advocated issuer as debtor | | Advocated state of incorporation as domicile | | Advocated state of principal executive office as domicile | | Advocated free-form "equitable allocation" | |
|---|---|---|---|---|---|---|---|---|
| | YES | NO | YES | NO | YES | NO | YES | NO |
| **West Virginia** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |
| **Wisconsin** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | | | | | | | | |
| **Wyoming** | | | | | | | | |
| 1. Prior to Appointment of Master | NA | NA | NA | NA | NA | NA | NA | NA |
| 2. Before the Master, Prior to Draft Report | X | | X | | | X | | X |
| 3. Before the Master, Following Draft Report | X | | | X | X | | | X |
| 4. Before this Court in "Exceptions" Phase | X | | | X | X | | | X |

## APPENDIX B

### FIRST ROUND LITIGATING-POSITION STATUTES

The 1990 and 1991 statutes almost all have nearly identical operative provisions. Arkansas' is provided as an example:

> All intangible property, including, but not limited to, any interest, dividend, or other earnings thereon, less any lawful charges, held by a business association, federal, state, or local government, or governmental subdivision, agency, or entity, or any other person or entity, regardless of where the holder may be found, if the owner has not claimed or corresponded in writing concerning the property within three (3) years after the date prescribed for payment or delivery, is presumed abandoned and subject to the custody of this state as unclaimed property if:
>
> (1) The last known address of the owner is unknown; and
>
> (2) The person or entity originating or issuing the intangible property is this state or any political subdivision of this state, is incorporated, organized, or created in this state.

The following table shows the date each state with one of the 1990 or 1991 statutes moved to intervene in this action, along with the date it enacted the statute in question:

| State | Date of Motion | Statutory Information |
|---|---|---|
| Alabama | April 21, 1989 | 1991 Ala. Act No. 577, enacted July 29, 1991 (codified at Ala. Code § 35-12-50 (Michie 1991)) |
| Alaska | October 29, 1990 | 1991 Alaska H.B. No. 240, 17th Legis., 2d Reg. Sess. (introduced March 27, 1991; not enacted) |
| Arkansas | November 17, 1989 | 1991 Ark. Act No. 1245, enacted April 17, 1991 (codified at Ark. Code Ann. § 18-28-208(b) (Michie Supp. 1991)) |
| Florida | November 17, 1989 | 1990 Fla. Laws ch. 113, enacted June 21, 1990 (codified at Fla. Stat. Ann. § 717.1035 (West Supp. 1992)) |
| Hawaii | April 21, 1989 | 1990 Haw. Sess. Laws ch. 31, enacted April 23, 1990 (codified at Haw. Rev. Stat. § 523A-2.5 (Supp. 1991)) |
| Illinois | April 21, 1989 | 1991 Ill. Law No. 206, enacted Sept. 3, 1991 (codified at Ill. Ann. Stat. ch. 141, para. 108.2 (Smith-Hurd Supp. 1992)) |
| Indiana | April 21, 1989 | 1991 Ind. Act No. 204, enacted July 1, 1991 (codified at Ind. Code Ann. § 32-9-1-10.5 (Burns Supp. 1992)) |
| Iowa | November 17, 1989 | 1990 Iowa Acts ch. 1095, enacted March 29, 1990 (codified at Iowa Code Ann. § 556.9A (West Supp. 1992)) |
| Kansas | April 21, 1989 | 1990 Kan. Sess. Laws ch. 196, enacted April 26, 1990 (codified at Kan. Stat. Ann. § 58-3933 (Supp. 1991)) |
| Louisiana | April 21, 1989 | 1991 La. Act No. 209, enacted July 2, 1991 (codified at La. Rev. Stat. Ann. § 9:154(3)(c) (West Supp. 1992)) |

| State | Date of Motion | Statutory Information |
|---|---|---|
| Mississippi | November 17, 1989 | 1991 Miss. Laws ch. 451, § 7, enacted March 26, 1991 (codified at Miss. Code Ann. § 89-12-14 (1991)) |
| Missouri | November 17, 1989 | 1990 Mo. Laws, H.B. No. 1052, enacted July 9, 1990 (codified at Mo. Ann. Stat. § 447.533 (Vernon Supp. 1992)) |
| Montana | April 21, 1989 | 1991 Mont. Laws ch. 654, enacted April 26, 1991 (codified at Mont. Code Ann. § 70-9-210 (1991)) |
| Nevada | April 21, 1989 | 1991 Nev. Stat. ch. 149, § 1, p. 287, enacted May 7, 1991 (codified at Nev. Rev. Stat. Ann. § 120A.225 (Michie Supp. 1991)) |
| New Hampshire | November 17, 1989 | 1990 N.H. Laws ch. 105, § 13, enacted April 13, 1990 (codified at N.H. Rev. Stat. Ann. § 471-C:3-a (Supp. 1991)) |
| North Dakota | July 16, 1990 | 1991 N.D. Laws ch. 492, enacted March 19, 1991 (codified at N.D. Cent. Code § 47-30.1-03.1 (Michie Supp. 1991)) |
| Oklahoma | April 21, 1989 | 1991 Okla. Sess. Laws ch. 331, § 19, enacted June 15, 1991 (codified at Okla. Stat. Ann. tit. 60, § 659.1 (West Supp. 1992)) |
| South Dakota | April 21, 1989 | 1990 S.D. Laws ch. 352, enacted March 12, 1990 (codified at S.D. Codified Laws Ann. § 43-41A-53 (Michie Supp. 1990)) |
| Utah | April 21, 1989 | 1990 Utah Laws ch. 179, enacted March 9, 1990 (codified at Utah Code Ann. § 78-44-4.5 (1992)) |
| West Virginia | November 17, 1989 | 1990 W. Va. Acts ch. 184, enacted March 14, 1990 (codified at W. Va. Code Ann. § 36-8-8a (Michie Supp. 1992)) |

## APPENDIX C

### SECOND ROUND LITIGATING-POSITION STATUTES

The 1992 statutes contain almost the same provisions as the 1990 and 1991 statutes, except that the language "or otherwise located" is generally added to the final operative paragraph. Again, Arkansas' 1992 revision (with new language emphasized) serves as an example:

> All intangible property, including, but not limited to, any interest, dividend, or other earnings thereon, less any lawful charges, held by a business association, federal, state, or local government, or governmental subdivision, agency, or entity, or any other person or entity, regardless of where the holder may be found, if the owner has not claimed or corresponded in writing concerning the property within three (3) years after the date prescribed for payment or delivery, is presumed abandoned and subject to the custody of this state as unclaimed property if:
>
> (1) The last known address of the owner is unknown; and
>
> (2) The person or entity originating or issuing the intangible property is this state or any political subdivision of this state, or is incorporated, organized, created *or otherwise located* in this state.

(Emphasis shows new material.)

The following table shows the date each state with one of the 1992 statutes or bills moved to intervene in this action, along with the date it enacted the statute in question (or the date of the bill's introduction) and whether the statute is amendatory of a 1990 or 1991 statute.[1]

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[1] Due to the volume of this very recent legislative activity, our table may not be complete.

| State | Date of Motion | Statutory Information |
|---|---|---|
| Alaska | October 29, 1990 | 1991 Alaska Sen. Concurrent Res. No. 40, 17th Legis., 2d Reg. Sess., introduced May 10, 1992 (proposing new Alaska Stat. § 34.45.130) |
| Arkansas | November 17, 1989 | 1992 Ark. Act No. 7, enacted Feb. 27, 1992 (amending 1991 Act, Ark. Code Ann. § 18-28-208 (Michie Supp. 1991)) |
| Florida | November 17, 1989 | 1992 Fla. Acts ch. 169, § 2, 1992 Fla. Sess. Law Serv. 1371, 1372 (West), enacted April 9, 1992 (amending 1990 Act, Fla. Stat. Ann. § 717.1035 (West Supp. 1992)) |
| Georgia | June 3, 1990 | 1992 Ga. Law No. 979, § 7, enacted April 13, 1992 (adding Ga. Code Ann. § 44-12-201) |
| Hawaii | April 21, 1989 | 1992 Haw. Sess. Laws ch. 133, enacted June 3, 1992 (amending 1990 Act, Haw. Rev. Stat. § 523A-2.5 (Supp. 1991)) |
| Illinois | April 21, 1989 | 1991 Ill. H.B. No. 3126, 87th Gen. Assem., 1991-92 Reg. Sess., introduced March 31, 1992 (proposing to amend 1991 Act, Ill. Rev. Stat. ch. 141, para. 108.2 (Smith-Hurd Supp. 1992)) |
| Indiana | April 21, 1989 | 1992 Ind. Act No. 135, enacted Feb. 21, 1992 (amending 1991 Act, Ind. Code Ann. § 32-9-1-10.5 (Burns Supp. 1992) and codified in Burns Supp. 1992)) |
| Iowa | November 17, 1989 | 1992 Iowa Acts ch. 1038 (S.F. No. 2174), 1992 Iowa Legis. Serv. 76, 77 (West), enacted April 9, 1992 (amending 1990 Act, Iowa Code Ann. § 556.9A (West Supp. 1992)) |

| State | Date of Motion | Statutory Information |
|---|---|---|
| Kansas | April 21, 1989 | 1992 Kan. Sess. Laws ch. 36, enacted April 16, 1992 (amending 1990 Act, Kan. Stat. Ann. § 58-3933 (Supp. 1991)) |
| Louisiana | April 21, 1989 | 1992 La. Act No. 73, enacted June 5, 1992 (amending 1991 Act, La. Rev. Stat. Ann. § 9:154(3)(c) (West Supp. 1992)) |
| Maine | June 3, 1991 | 1992 Me. Acts ch. 756, enacted March 27, 1992 (adding Me. Rev. Stat. Ann. tit. 33, § 1811-A) |
| Mississippi | November 17, 1989 | 1992 Miss. Laws ch. 408, enacted April 27, 1992 (amending 1991 Act, Miss. Code Ann. § 89-12-14) |
| Missouri | November 17, 1989 | 1991 Mo. H.B. No. 935, 86th Gen. Assem., 2d Reg. Sess., introduced Jan. 8, 1992 (proposing to amend 1990 Act, Mo. Ann. Stat. § 447.533 (Vernon Supp. 1992)) |
| New Hampshire | November 17, 1989 | 1992 N.H. Laws ch. 289, § 51, enacted June 17, 1992 (amending 1990 Act, N.H. Rev. Stat. Ann. § 471-C:3-a (Supp. 1991)) |
| Oklahoma | April 21, 1989 | 1992 Okla. Sess. Laws ch. 295, § 27, enacted May 26, 1992 (adding Okla. Stat. Ann. tit. 60, § 657.4, without mentioning 1991 Act, Okla. Stat. Ann. tit. 60, § 659.1 (West Supp. 1992)) |
| Pennsylvania | April 21, 1989 | 1991 Pa. H.B. No. 2308, 175th Gen. Assem., 1991-92 Reg. Sess., introduced Jan. 21, 1992 (proposing to add new Pa. Stat. § 1301.2(a)(2)) |

| State | Date of Motion | Statutory Information |
|---|---|---|
| South Dakota | April 21, 1989 | 1992 S.D. Laws ch. 312, § 11A, enacted March 10, 1992 (replacing 1990 Act, S.D. Codified Laws Ann. § 43-41A-53 (Michie Supp. 1990), with S.D. Codified Laws Ann. § 43-41B-12) |
| Utah | April 21, 1989 | 1992 Utah Laws ch. 74, enacted March 12, 1992 (amending 1990 Act, Utah Code Ann. § 78-44-4.5 (1992) and codified in Supp. 1992) |
| Washington | April 21, 1989 | 1992 Wash. Laws ch. 48, enacted March 26, 1992 (to be codified between Wash. Rev. Code §§ 63.29.030 and 63.29.040) |